THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

AND

THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 6610 OF 2005; C.E.A NOS. 42 AND 74 OF 2005

(ON BEING SPOKEN TO)

ORDER: (per Sri B. Sudershan Reddy, J)

The last but one paragraph of the judgment reads as follows:

> "In view of the serious allegations made, regarding customs duty of Rs.1,98,78,418/- having been paid by the petitioner under fake DEPB licences/scrips and inasmuch as the encashed FDRs of Rs.44,95,629/- represents merely a fraction thereof, we see reason, in the facts and circumstances of the case, to exercise our discretion in the petitioner's favour and to grant them the relief of refund of the encashed FDRs of Rs.44,95,629/- as against Rs.1,98,78,418/- claimed by the respondents to be due towards customs duty for the goods already cleared by the petitioner. W.P.No.6610 of 2005 fails and is accordingly dismissed".

Inadvertently, after the words 'we see', the word 'no' is omitted. Now, the same shall read as 'we see no reason'. The paragraph shall now read as follows:

> "In view of the serious allegations made, regarding customs duty of Rs.1,98,78,418/- having been paid by the petitioner under fake DEPB licences/scrips and inasmuch as the encashed FDRs of Rs.44,95,629/- represents merely a fraction thereof, we see no reason, in the facts and circumstances of the case, to exercise our discretion in the petitioner's favour and to grant them the relief of refund of the encashed FDRs of Rs.44,95,629/- as against Rs.1,98,78,418/- claimed by the respondents to be due towards customs duty for the goods already cleared by the petitioner. W.P.No.6610 of 2005 fails and is accordingly dismissed".

Registry is directed to issue the modified copy of the Order.

(B. Sudershan Reddy, J)

31..10..2005

(Ramesh Ranganathan, J)

ks